

Regular Meeting of the City Council  
Austin, Texas July 6<sup>th</sup> 1903  
Hon R. E. White, Mayor Presiding

Roll Called  
Present Alderman Crocker Haynes Hume Macken  
Maddox Miller ~~Nitschke~~ Read Schneider Shumate  
Smith & Meit 11  
Absent Aldermen Moore Nitschke & Shelley 3

On motion the minutes were approved as recorded by the clerk without reading

Alderman Nitschke entered the Council Chamber

Petitions, Memorials etc

The Mayor laid before the Council the following Petitions

From Austin Hook and Ladder Co #1 and Colorado  
Hose Company #2, petition asking to have a new  
floor put in their Hall- Read and on motion  
referred to the fire Committee

From Citizens asking to have streets around the West  
Austin graded above building, Graveled  
Read and on motion referred to the street Committee

From Mrs M. Busch asking to have certain bond  
fees refunded. Read and on motion referred to  
the Committee on claims & accounts

By Alderman Schneider Application of Busche to  
for permission to erect building within fire limits  
Read and on motion referred to the Fire Commissioners

Alderman Shelley entered the Council Chamber

Reports of City Officers

The Mayor laid before the Council the reports of the  
Assessor & Collector, the Treasurer, the Clerk, the  
Physician and the Sexton for the month of June 1903  
which were on motion referred to their appropriate  
Committees without reading

Reports of Standing Committees

Alderman Hume for the ordinance Committee  
to whom was referred an ordinance prescribing  
what shall constitute a days labor, presented a  
Majority and a minority reports, the Majority  
recommending the passage of said ordinance, and  
the minority recommending its passage with  
an Amendment. On motion the reports were  
adopted

Alderman Hume for the ordinance Committee to  
whom was referred an ordinance prohibiting the  
location of back stands on certain portions of  
Congress Avenue and ... presented a  
report recommending that the ordinance be not passed

Petitions etc

Austin Hook and Ladder Co #1  
Colorado hose " 2.  
for new floor in Hall

Citizens to have streets  
around West Austin school  
graveled.

Mrs M. Busch refund  
bond fees.  
Schneider for  
building permit

Reports City officers

Committee reports  
Ordinance  
Days labor.

Ordinance on increasing salary Pound Master

On motion the report of the Committee was adopted  
Alderman Hume for the ordinance Committee to whom was referred an ordinance increasing the salary of the Pound Master, presented a majority report recommending that the ordinance do not pass, and a minority report recommending the passage of the ordinance.

Alderman Haynes moved to substitute the minority for the majority report, which motion prevailed by the following vote.

Aye Aldermen Crook Haynes Macken Miller Redd Shelley Schumate Smith & Webb 9  
Nays Aldermen Hume Maddox Nitsochke & Schneider 4

Ordinance on ordinance requiring presence of children in streets at night

Alderman Hume for the ordinance Committee to whom was referred an ordinance regulating the presence of children on the streets and alleys of the City after 9 o'clock at night presented a report recommending the passage of the ordinance. On motion the report was adopted

Ordinances on Electric R.R. ordinance transfer tickets etc

Alderman Hume for the ordinance Committee to whom was referred an ordinance requiring the Austin Electric Railway Co to employ conductors and give transfer tickets, presented a report recommending that the ordinance be laid on the table subject to call.

Purchasing on contracts for buses of 1900

On motion the report was adopted  
Alderman Schumate for the Purchasing Committee presented a report stating that he had advertised for and received bids for supplies for the City for the term ending Dec 31<sup>st</sup> 1900, and recommending the acceptance of certain bids therein named. The report was adopted

Street Building Stone Culvert Newnings branch

On motion of Alderman Crook, the Hon A. S. Bowers Mayor of Palestine, Texas, was invited to a seat on the stand with the Mayor.

Alderman Nitsochke for the street Committee to whom was referred an ordinance appropriating the sum of \$450.<sup>00</sup> for the purpose of building a Stone Culvert across Newnings branch in Fair View Park South Austin, presented a report recommending the passage of the ordinance with an amendment striking out the word "stone" wherever it appears in the ordinance

Streets maintenance

On motion the report was adopted  
Alderman Nitsochke for the street Committee to whom was referred an ordinance regulating the speed of Automobiles on the bridge across the Colorado River, presented a report recommending its passage with an amendment making the rate of speed five miles an hour instead of three miles an hour. The report was adopted.

Streets on Leasing  
Water grave pit

Alderman Nitschke for the Street Committee to whom was referred an ordinance appropriating the sum of \$350.00 for the purpose of leasing from H. B. Walsh, presented a report recommending that the same do not pass  
On motion the report was adopted

Streets on pet Citizens  
Bridge across Shoal  
Creek, on State Street

Alderman Nitschke for the Street Committee to whom was referred the petition of Citizens asking for a bridge across Shoal Creek on State Street, presented a report recommending that the petition be granted and the sum of \$200.00 be appropriated for that purpose.  
On motion the report was adopted

Five Commissioners on  
applications for building  
permits

The Mayor laid before the Council reports of the Five Commissioners upon the applications of the Lone Star Ice Co. and Beasley & Harris for permission to erect certain buildings within the fire limits, recommending that the applications be granted. The reports were adopted

D. Melackey for street  
work

The Mayor laid before the Council a communication from D. Melackey calling attention to work needed on W 12th Street in front on his residence, which was read and on motion referred to the Street Committee.

Lone Star Ice Co building  
permit granted

Alderman Maddox moved that the application of the Lone Star Ice Co for permission to erect a certain shed within the fire limits be granted, which motion prevailed by the following Vote

Yeas Aldermen Brooker Kayner Hume Wacker  
Maddox Miller Nitschke Redd Schneider Shelley  
Shumate Smith & Whit 13

Beasley & Harris  
building permit granted

Nays None  
Alderman Schneider moved that the application of Mess Beasley & Harris for permission to erect a certain building within the fire limits be granted which motion prevailed by the following Vote

Yeas Aldermen Brooker Kayner Hume Wacker  
Maddox Miller Nitschke Redd Schneider Shelley  
Shumate Smith & Whit 13

Austin Dam Suburban  
R.R ordinance

Nays None.

Unfinished business

The Mayor laid before the Council an ordinance granting the Austin Dam and Suburban Railway Company the right to operate its road by electricity on steam, or both, etc.

Protests.

The ordinance was read the second time  
A number of protests against, and request for the passage of the ordinance were read.

Alderman Maddox offered the following amendment  
Add section 5 as follows  
section 5 In further consideration of the rights and privileges granted by this ordinance, said Austin

Dam and Suburban Railway Company hereby binds itself, its successors and assigns to make good and sufficient title to said City of Austin to all lands owned by them where the said track shall be abandoned in accordance with the requirements of this ordinance.

The Amendment was lost by the following Yall  
Year Aldermen Maddox, Cadd & Schneider 3  
Days Aldermen Crocker, Kaynes, Kume, Macken, Miller,  
Whiteke, Shelley, Shumate, Smith & Uelit 10

Amendments

Alderman Maddox offered the following Amendment which was read and adopted.

Amend Section 4 page 2 as follows

et. In lines 6 & 7 strike out the words "to as good Condition as they were in before the construction of the track along said streets" and insert in lieu thereof the following "to good condition for travel to the satisfaction of the Street Committee and City Engineer"

Alderman Maddox offered the following Amendment which was read and adopted

Add Section 7 as follows

Section 7 The said Austin Dam and Suburban Railway Company, its successors and assigns, shall place in good Condition for travel to the satisfaction of the Street Committee and City Engineer and keep in such condition the streets over which it is herein granted the right to operate its said road and place the tracks of said road in such condition that vehicles can cross said tracks at any point on said tracks.

Alderman Maddox offered the following Amendment Section 6. In further consideration of the rights and privileges granted by this ordinance, the Austin Dam and Suburban Railway Company hereby binds itself, its successors and assigns, to pay to the City of Austin the sum of fifty thousand dollars, same to be paid in Annual installments of five thousand dollars each, on or before January 1st of each year. The failure to pay any one of said annual installments shall forfeit all rights and privileges granted under this ordinance.

The Amendment was lost by the following Yall  
Year Aldermen Maddox & Schneider 2  
Days Aldermen Crocker, Kaynes, Kume, Macken,  
Miller, Whiteke, Cadd, Sholter, Shumate & Smith 11

Alderman Maddox offered the following Amendment Section This ordinance is raised and the privilege of using that track on the railroad tracks on South on Cedar Street, eastward from San Antonio

street, for transfer of passengers and freight is granted on condition that said Austin Dam and Suburban Railway Company shall allow and provide for the transfer over its tracks for the engines and Cars of all other railroad Companies connecting with or crossing its tracks upon terms applying equally to all such Companies, and shall permit the tracks and rails of all other railroad Companies entering the City of Austin to connect with its tracks, subject to all such further regulations as may be adopted by this Council for the purpose of carrying this ordinance into effect and as may be found necessary to provide for the safe conduct of travel across and upon said street in the business of said Company in providing equal facilities to all other railroad Companies desiring to use its said tracks; provided, that if said Austin Dam and Suburban Railway Company and other connecting Company or Companies shall not agree on the rate of compensation to be paid to it for the use of its said tracks, the same shall be fixed by the Railroad Commission of the State of Texas; and provided further, that said Austin Dam and Suburban Railway Company shall, when required to do by the City Council of the City of Austin, Texas, construct such further spurs, side tracks and switches as it may decide to be necessary and proper to accommodate persons doing business on said fourth street, the same to be subject to the use on equal terms by all connecting railroads and the rates to be charged persons for the use of cars thereon, if not fixed by said Railroad Commission, shall be fixed and changed from time to time as may be found necessary by the City Council.

Amendments

Section Should said Austin Dam and Suburban Railway Company, its successors or assigns at any time fail, neglect or refuse to comply with any of the terms and provisions of this ordinance and perform the services herein, or which may hereafter be required of it by the City Council or the Railroad Commission of the State of Texas, all rights, privileges and franchises herein granted said Company shall lapse and become forfeited.

The Amendment was adopted by the following Yeas Aldermen Crocker Macken Maddox (Ald.) Schneider Sibley (Ald.) 7  
 No Aldermen Chapman McMillan Tibbitts  
 Aye 6  
 Alderman Maddox Moved that the said Amendment be removed 0 to 6, and that

Sections 5 & 6 of the original ordinance become and be numbered sections 8 & 9 of the ordinance, which motion prevailed

Alderman Maddox offered the following amendment which was read and adapted

Amend the last section by adding after the last word therein the following viz "and acceptance in said Company in writing, to be filed in the office of the City Clerk within ten days from the final passage of this ordinance"

Passed.

The ordinance as amended was then passed under suspension of the rule by the following vote

Yeas Aldermen Crocker Haynes Hume Macken Miller Nitschke Redd Shelley Shumate & Witt 10  
Nays Aldermen Maddox Schneider & Smith 3

H. E. R.  
Commercial Switch  
in Alley, Blocks 3 &  
4

The Mayor laid before the Council an ordinance granting permission to the Houston and Texas Central Railroad Company to build a Commercial Switch on tracks in the Alley in blocks No 30 and 42 and to cross Fourth Street at the intersection thereof in the City of Austin

The ordinance was read the second time and on motion the rule was suspended and the ordinance placed on its third reading by the following vote

Yeas Aldermen Crocker Haynes Hume Macken Miller Nitschke Redd Shelley Shumate Smith & Witt 11  
Nays Aldermen Maddox & Schneider 2

The Ordinance was read the third time.

Amended

Alderman moved to reconsider the vote by which the rule was suspended and the ordinance placed on its third reading, which motion prevailed

Alderman Macken moved to amend the ordinance by adding after the last word in same the following "Provided no switch shall be constructed or operated in said Alley until the poles therein are so moved as to leave ample room for the passageway of vehicles, including fire trucks and all other fire apparatus"

The Amendment was adapted and the ordinance passed under suspension of the rule by the following vote

Passed

Yeas Aldermen Crocker Haynes Hume Macken Miller Nitschke Redd Shelley Shumate Smith & Witt 11  
Nays Aldermen Maddox & Schneider 2

The Mayor laid before the Council an ordinance regulating the presence of children on the streets and alleys of the City after nine o'clock at night

The ordinance was read the second time and on motion further consideration of same was postponed until the next regular meeting of the Council  
The Mayor laid before the Council an ordinance

Labor ordinance

Prescribing what shall constitute a days labor on all public works of the City and the wages to be paid for same. The ordinance was read the second time and on motion further consideration of same was postponed until the next regular meeting of the Council.

Culvert across Newings Branch

The Mayor laid before the Council an ordinance appropriating the sum of \$450.00 for the purpose of constructing a stone culvert over Newings Branch in Fair View Park. The ordinance was read the second time and Alderman Maddox moved to amend the ordinance by striking out the word "stone" wherever it appears in said ordinance, which motion prevailed.

The ordinance was then passed under suspension of the rule by the following vote:

Yeas Aldermen Crocker Haynes Hume Macken Maddox Miller Nitschke Redd Schneider Shelley Shumate Smith & Ulitt

13

Nays None

New Business

\$500. to indemnify Littlefield & Jones bondsmen

By Alderman Maddox an ordinance appropriating the sum of \$500.00 for the purpose of indemnifying Geo. W. Littlefield and A. A. Thoe as sureties on the injunction bond of of the City in Case of the City of Austin vs Austin City Cemetery Association.

The ordinance was passed under suspension of the rules by the following vote:

Yeas Aldermen Crocker Haynes Hume Macken Maddox Miller Nitschke Redd Schneider Shelley Shumate Smith & Ulitt

13

Nays None

Taxis, express wagons etc. prohibited from standing on certain streets

By Alderman Hume an ordinance prohibiting the owners, drivers or persons in charge of moving vans, express wagons, vehicles from which wood, fruit, vegetables or other goods or produce of any character whatsoever are sold by retail from permitting such vehicles to stand for the purpose of vending same on certain portions of certain streets of the City.

Read the first time and on motion laid over until the next regular meeting of the Council.

\$300. extra labor

By Alderman Nitschke an ordinance appropriating the sum of \$300.00 for the purpose of paying for extra labor & repairs. The ordinance was read the first time and on motion the rule was suspended and the ordinance placed on its second reading by the following vote:

Yeas Aldermen Crocker Haynes Hume Macken Miller Nitschke Redd Shelley Shumate Smith & Ulitt

11

Nays Alderman Maddox

1

The Ordinance was read the second time  
Alderman Nitschke moved to amend same by adding  
"to be expended under the supervision of the street  
Committee & City Engineer" The amendment was  
adopted and the ordinance passed under suspension  
of the rule by the following Vote

Yeas Aldermen Crocker Haynes Hume Macken  
Miller Nitschke Reed Shelley Shumate Smith & Uelit //  
Nays Alderman Maddat /

\$100. for paving 10/10"  
St.

By Alderman Crocker an ordinance appropriating  
the sum of \$100.00 for improving West 10th street from West  
Avenue to Shoal Creek The ordinance was read the first  
time and on motion was referred to the street Committee

Ordinance regulating  
Police Dept

By Alderman Shumate an ordinance regulating the  
Police Dept of the City of Austin. Read the first time  
and on motion referred to the Ordinance Committee

By Alderman Hume an ordinance extending the pound  
limits of the City of Austin. The ordinance was passed  
under suspension of the rules by the following Vote  
Yeas Aldermen Crocker Haynes Hume Macken  
Maddat Miller Nitschke Reed Shelley Shumate  
Smith & Uelit

Nays none

On motion the Council adjourned

J. B. Johnson  
City Clerk